

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Nabil HANNA et al.

Appl. No.: 09/ 612,914

Series Code ↑

Serial No. ↑

Filed: July 10, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Group Art Unit

1642

Examiner:

C. Yaen

Atty. Dkt.

P

0275543

1991-30-0019CP4C1

M#

Client Ref

Appl. Title: RECOMBINANT ANTI-CD4

ANTIBODIES FOR HUMAN THERAPY

RECEIVED

DEC 20 2002

Sir:

REPLY/AMENDMENT/LETTER

Date: December 17, 2002

TECH CENTER 1600/2900

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☒ NOT made
 B. ☐ Withdrawn
 C. ☐ made herewith
 D. ☐ made previously

For B & C
 See Required
 Separate Paper
 (Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	12	**minus 36	0	x \$18/\$9 =	+ \$0 103/203
3. Independent Claims	1	***minus 3	0	x \$84/\$42 =	+ \$0 102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)	add			+ \$280/\$140 =	+ \$0 104/204
5. Original due Date: October 17, 2002	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 =	+ \$400		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.		Extension Fee	+ \$400		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c),	add	+ \$180	+ \$0		126 126
or if Rule 97(d) Request	add	+ \$180			
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$740/370 ea	+ \$0		149/249
13. Request for Continued Examination (RCE)		+ \$740/370	+ \$0		1179/1279
14. Petition fee for			+ \$0		

15.

TOTAL FEE = \$400

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

PLEASE CHARGE
OUR DEP. ACCT

Our Deposit Account No. 03-3975)

(Our Order No. 037003

0275543

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
 Intellectual Property Group

By Atty: Robin L. Teskin

Sig:



Reg. No. 35,030

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Atty/Sec: RLT/af

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



Amend 8/#9
EXT(2) 1/403
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UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 20 2002

In re PATENT APPLICATION OF

HANNA et al.

Group Art Unit: 1642

Application Serial No. 09/612,914

Examiner: C. Yaen

Filed: July 10, 2000

Title: *RECOMBINANT ANTI-CD4 ANTIBODIES FOR HUMAN THERAPY*

TECH CENTER 1600/2900

* * * * *

AMENDMENT

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated July 17, 2002 amend the application as follows.

IN THE CLAIMS

Kindly cancel all of current pending claims 1-36 and insert the following in lieu thereof.

This amendment is made without prejudice.

--37. A method of treating a patient having a condition or disorder characterized by an [increased number of CD4 positive lymphocytes] comprising administering a [therapeutically effective amount] of a chimeric anti-CD4 antibody that comprises Old World Monkey variable heavy and light regions and human constant regions, wherein said chimeric antibody inhibits CD4- positive dependent T cell responses.

38. The method of claim 37 wherein said disease or condition is transplant or graft-vs-host disease.

B1 39. The method of claim 37 wherein said disease or condition is a [non-autoimmune] disease.

40. The method of claim 37 wherein said disease or condition is an allergic condition.

41. The method of claim 40 wherein said allergic condition is asthma.

42. The method of claim 37 wherein said chimeric anti-CD4 antibody has a human gamma 4 constant domain.

43. The method of claim 37 wherein said anti-CD4 antibody has a human gamma 1 constant domain.

44. The method of claim 42 wherein said gamma 4 constant domain has the amino acids at position 229 and 236 in the constant region respectively changed from a serine to a proline and a leucine to glutamatic acid.

45. The method of claim 37 wherein said Old World Monkey variable heavy and light regions are encoded by the DNA sequences having SEQ ID NO.: 3 and SEQ ID NO.: 1 respectively

46. The method of claim 37 wherein said disease or condition is lymphoma.

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